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January 14, 2021

By ECF

Honorable Colleen McMahon
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: *Jarrett Payne, et al. v. Mayor Bill de Blasio, et al.*, 20 Civ. 8924 (CM)
Charles Henry Wood v. City of New York, et al., 20 Civ. 10541 (CM)

Your Honor:

I am a Senior Counsel in the Office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, and one of the supervisors the assigned to the defense in the two above-referenced matters. Should the Court grant plaintiffs' request for a one-week extension of time to respond to defendants' letter motion requesting de-consolidation, I write to respectfully request that the Court grant defendants an opportunity to reply to that response after it is filed, otherwise, to file a short reply to plaintiffs' letter of January 14, 2021.

As the Court is aware, on January 11, 2021, the Court *sua sponte* consolidated these two matters. ECF No. 24.¹ On January 13, 2021, defendants requested that the Court de-consolidate these matters. ECF No. 25. On January 14, 2021, plaintiffs in *Payne* requested that "the parties be permitted seven days until January 22, 2021, to make more informed arguments to the Court on the subject of consolidation."² ECF No. 26. To the extent that the Court grants plaintiffs' request, defendants respectfully request that the Court allow them the opportunity to file a response to whatever their arguments may entail. In the event the Court does not permit plaintiffs' to file a further response, defendants request permission to file a brief response to plaintiff's January 14 letter in order to afford defendants an opportunity to correct certain misstatements in plaintiffs' submission.

Therefore, defendants respectfully request the opportunity to respond to plaintiffs' submissions.

¹ Defendants refer the ECF entries in *Payne* only.

² When referring to "parties," it is unclear whether plaintiffs mean the parties to this action or themselves and the parties to *State of New York v. City of New York, et al.*, 21 Civ. 322.

Thank you for your consideration herein.

Respectfully submitted,

Dara L. Weiss

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Special Federal Litigation Division